



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,706	03/21/2001	Angelique Chappuis	Q63251	7585

7590 06/18/2003
Sughrue Mion Zinn
Macpeak & Seas
2100 Pennsylvania Avenue NW
Washington, DC 20037-3202

EXAMINER

GOODWIN, JEANNE M

ART UNIT PAPER NUMBER

2841

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/787,706	Applicant(s) CHAPPUIS, ANGELIQUE	
	Examiner Jeanne-Marguerite Goodwin	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 07 April 2003.

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-21 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1, 3, 4, 6, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,479,381 to Goldenberg et al. [hereinafter Goldenberg] in view of US Patent 4,831,606 to Aellen [hereinafter Aellen].

Goldenberg discloses a reversible watch having a first case assembly (20, 22) enclosing control knob 24 and a second case assembly (30, 32) enclosing control knob 34. The movements (22/32) are mounted in juxtaposition in a back-to-back arrangement as shown in Fig. 3. The first and second case assemblies have a pair of horns at the six o'clock and twelve o'clock positions and a securing means to secure the cases and the wristband. Furthermore, it appears that the horns are arranged on the back and front of each case, respectively. Moreover, the first case assembly and the second case assembly may be totally independent of one another and may share a common power source. Goldenberg discloses all the subject matter claimed by applicant with the exception of the limitations stated in claims 3, 4, 6, 13, 15 and 6, i.e., the securing elements include horns through which bars pass, said bar acting both as means for securing the first case to the second case and means for securing opposite ends of the wristband to an assembly formed by said first and second cases.

With respect to the limitations stated in claims 3, 4, 6, and 15: Aellen teaches a securing means comprising horns through which bars pass, said bar acting both as means for securing a first element (5) to a second element (2) and means for securing opposite ends of wristband to an

Art Unit: 2841

assembly formed by said first and second elements. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify by replacing the securing means, as illustrated by Goldenberg, with the securing means, as taught by Aellen, since both are alternative types of securing means which will provide the same function, if one is replaced with the other, of securing elements together.

3. Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Goldenberg and Aellen in view of US Patent 5,138,590 to Masuda et al. [hereinafter Masuda].

Goldenberg and Aellen disclose a device as stated above with regards to claims 1, 3, 4, 6, and 15. Goldenberg and Aellen disclose all the subject matter claimed by applicant with the exception of the limitation stated in claims 2 and 14, i.e., each case contains an electric battery and includes a battery hatch in its back cover.

With respect to the limitation stated in claims 2 and 14: Masuda discloses an electronic apparatus comprising a first case assembly (1) and a second case assembly (2) using separate batteries (22, 25) in order to be able to still operate at least one case assembly if one of the batteries fail. Furthermore, it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. See *St. Regis Paper Co. V Bemis Co.*, 193 USPQ 8. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add another battery as taught by Masuda, to one of the case assemblies, as taught by the combination of Goldenberg and Aellen, in order to be able to still operate at least one case assembly if one of the batteries fail.

Art Unit: 2841

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Goldenberg and Aellen.

Goldenberg and Aellen disclose a device as stated above with regards to claims 1, 3, 4, 6, and 15. Goldenberg and Aellen disclose all the subject matter claimed by applicant with the exception of the limitation stated in claim 5, i.e., the particular type of horn assembly.

With respect to the limitation stated in claim 5: The use of the particular type of horn assembly, i.e., four horns male/female, absent any criticality, is considered to be nothing more than a choice of engineering skill, choice or design because 1) neither non-obvious nor unexpected results, i.e., results which are different in kind and not in degree from the results of the prior art, will be obtained as long as the first and second cases are secured to one another as already suggested by the combination of Goldenberg and Aellen, 2) the horn assembly claimed by applicant and the horn assembly used by Goldenberg and Aellen are well known alternate types of securing means which will perform the same function, if one is replaced with the other, of securing the first and second case to one another, and 3) the use of this particular type of securing means by applicant is considered to be nothing more than the use of one of numerous and well known alternate types of securing means that a person having ordinary skill in the art would have been able to provide using routine experimentation in order to secure the first and second cases back-to-back as already suggested by Goldenberg and Aellen.

5. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Goldenberg and Aellen in view of US Patent 3,293,846 to Pauli [hereinafter Pauli].

Goldenberg and Aellen disclose a device as stated above with regards to claims 1, 3, 4, 6, and 15. Goldenberg and Aellen disclose all the subject matter claimed by applicant with the exception of the limitation stated in claims 7 and 16, i.e., the securing elements include assembly elements of the dovetail type.

With respect to the limitation stated in claim 7: Pauli teaches using a securing element having a dovetail type engagement in order to easily fasten a watchcase to a bracelet. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to replace the securing element as taught by the combination of Goldenberg and Aellen, with the securing element as taught by Pauli, since both are alternate types of securing elements which will provide the same function, if one is replaced with the other, of securing the first and second cases together.

6. Claims 8-12 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Goldenberg and Aellen in view of US Patent 4,493,561 to Bouchet [hereinafter Bouchet].

Goldenberg and Aellen disclose a device as stated above with regards to claims 1, 3, 4, 6, and 15. Goldenberg and Aellen disclose all the subject matter claimed by applicant with the exception of the limitation stated in claims 8 and 17, i.e., a support having two parallel lateral bars; the limitation stated in claims 9 and 18, i.e., a trunnion which is engaged in a slide way; and the limitation stated in claims 10 and 19, i.e., the support being provided with securing means including a removable bar for securing it to the wristband; the limitation stated in claims 11 and 20, i.e., the movable case slides along the support in a perpendicular direction to the wristband;

Art Unit: 2841

and the limitation stated in claims 12 and 21, i.e., the movable case slides on the support in a parallel direction to the wristband.

With respect to the limitations stated in claims 8-12 and 17-21: Bouchet discloses a reversible wrist watch comprising a support having two parallel lateral bars (2, 3) between which a movable case occupies two mutually reversed positions, in which two opposite lateral faces of the movable case extend, a trunnion (27) which is engaged in a slide way, the bars (2, 3) are removable bars for securing to the wristband and the movable case slides along the support in a perpendicular and parallel direction to the wristband. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to replace the reversible assembly as taught by the combination of Goldenberg and Aellen, with the reversible assembly, as taught by Bouchet, since both are alternate types of reversible assemblies which will provide the same function, if one is replaced with the other, of reversing the first case or second case outward.

Response to Arguments

7. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection. Contrary to applicant's belief, Goldenberg discloses a first and a second case which are mounted in juxtaposition in a back-to-back arrangement as shown in Fig. 3 (see column 2, lines 54-56).

Conclusion

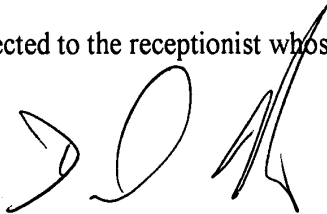
8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (703)

Application/Control Number: 09/787,706

Page 7

Art Unit: 2841

305-0264. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read 'DM', is positioned above the printed name of David Martin.

JMG
June 16,, 2003

DAVID MARTIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800